



Town of Bridgewater

Town Council

April 9, 2024
7:00 PM

MEETING MINUTES

Due to Massachusetts Open Meeting Law requirements, discussions will not take place during Public Comment periods. If appropriate, responses to questions and concerns will be given by the Town Manager at a future Town Council meeting.

CALL TO ORDER

A quorum being duly present, Town Council President Erik Moore called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, April 9, 2024 in the Council Chambers.

Present: Fred Chase, Paul Murphy, Shawn George, Dennis Gallagher, Susan Robinson, Kevin Perry, Mark Linde and Erik Moore.

Absent: Brad McKinnon

Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS - None

ANNOUNCEMENTS FROM THE PRESIDENT

A moment of silence was held for a Veteran David E. Hill who passes away on March 28, 2024.

PROCLAMATIONS

a) Arbor Day - June 26, 2024

Council President Moore read the Arbor Day Proclamation into the record and it was accepted by the Town Council.

CITIZEN OPEN FORUM

- Ray Ajemian, 221 Aldrich Road: spoke on behalf of the Tree Committee and Arbor Day tree planting.
- Amanda Napior, 316 Main Street: spoke in favor of the Pride Flag petition.
- Christina Ajemian, 221 Aldrich Road: spoke in favor of the Pride Flag petition.
- Pat Near, Lakeside Drive: thanked Councilors George, Moore and Gallagher for their service and spoke about the storage of tire ordinance.
- Ed Ivaldi, Boxwood Lane: spoke about Bill Wood working on Town Council booklet.
- Adelene Ellenberg, Aldrich Road: noted that the American Flag should be above the Pride flag.
- Laurene Powers, 41 Sunrise Drive: spoke in favor of the Pride Flag petition.
- Rebecca Cordeiro, 135 Deerfield: spoke in favor of the Pride Flag petition.
- Janet Hanson, Pleasant Street: spoke about the Form Based Code ordinance.
- Steve Black, 145 Legge Street: read a letter in favor of the Pride Flag from a high school student.

- Sherry Turner, 67 Brewster Drive: spoke in favor of the Pride Flag
- Sam Baumgarten, 60 Short Street: spoke in favor of the raising of the Pride flag.
- John Donna, 261 South Street: spoke about the Form Based Code, keep in character with the town.
- David Hickle: spoke in favor of the raising of the Pride Flag.
- Tim Fitzgibbon, 238 South Drive: Thanked the Town Council and Town Manager for working with the School Committee on the budget and thanked Councilor George for his service on the Town Council.
- Nancy Gill, 45 Water Street: spoke in favor of the raising of the Pride Flag.
- Jane Callahan, 335 Grange Park: spoke in favor of the raising of the Pride and Juneteenth flags.
- Maurice, Village Drive: spoke in opposition of the Form Based Code.

APPOINTMENTS – None

HEARINGS

- a) Petition P-2024-019: Petition for National Grid and Verizon New England Inc. Installation of Poles - 145 Winter Street

7:05 pm Public Hearing: The Notice was posted in the 3/26/24 Enterprise and Abutter Letters sent 3/26/24.

Town Council President Moore opened the Public Hearing at 7:50pm.

Muhammad Jamous from National Grid gave a brief update of what they are looking for.

Council President Moore asked if there were any general questions from the public – no one spoke.

Council President Moore asked if anyone wished to speak in favor – no one spoke.

Council President Moore asked if anyone wished to speak in opposition – no one spoke.

Council President Moore asked if there were any questions from the Councilors – no questions were asked.

Council President Moore closed the Public Hearing at 7:51p.m.

Councilor George made a motion to approve Petition P-2024-019, which was duly seconded by Councilor Linde.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea.

Motion passed 8-0.

- b) Proposed Zoning Amendment Ordinance D-FY24-004: Central Business District and Form Based Code
7:15 Continued Public Hearing

Council President Moore continued the Public Hearing and asked if there were any Public Comments:

- Adelene Ellenberg, Aldrich Road: noted there is no sewer/water capacity, polluted tank needs to be verified before moving station.

Councilor George made a motion to amend Proposed Zoning Amendment Ordinance D-FY24-004 with the version that is published with the 4/9/24 agenda. This was duly seconded by Councilor Chase.

Councilor Chase noted that this amendment is the one attached to tonight's agenda and it was adopted at

the recent CED/Planning Board meeting. Discussed in length at that meeting.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea.

Motion passed 8-0.

Councilor Robinson made a motion to amend Proposed Zoning Amendment Ordinance D-FY24-004 with the edits noted on the 4/8/24 memo from Town Manager Dutton. This was duly seconded by Councilor George.

Councilor Robison noted the 4/8/24 amendments.

Councilor Perry asked if the Attorney General does not agree with the Ordinance, does that jeopardize the Form Based Code. Mr. Rulli noted that it would not and that the 4/8 memo edits are the only items not reviewed by the Attorney General.

Councilor Moore noted that this process started long before the MBTA with the Master Plan. Economics has to change to make others change their buildings and repair downtown to generate revenue. Zoning tells developers what they can and cannot do.

A voice vote was taken on the motion to amend with the 4/8/24 edits and the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

Councilor George made a motion to continue the Hearing for Proposed Zoning Amendment Ordinance D-FY24-004 to the 4/23/24 meeting. This was duly seconded by Councilor Linde.

Councilor George noted that he supports this Ordinance 100% but wants people to read all edits.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea.

Motion passed 8-0.

LICENSE TRANSACTIONS – None

PRESENTATIONS – None

TOWN MANAGER'S REPORT

a) Addressing Prior Public Comment Items (*No Council Discussion*)

Town Manager Dutton answered a few questions that were asked at the last Town Council meeting:

- A resident would like to see the Town Council create an Environmental Committee: the intent is to bring admin code changes to the council once the new council is seated and this will be one of the requested changes.
- Residents wanting more information: currently there is an operational update that is posted monthly, information uploaded to the website and on Facebook and various other outlets. More outlets are being looked into including a monthly video from the Town Manager.

- b) Update on Tire Dump
Town Manager Dutton noted that it appears that the tire dump may be on State property. Will be working with DCAM for remedy.

DISCUSSIONS – None

COMMITTEE REPORTS – None

LEGISLATION FOR ACTION

- a) Order O-FY24-027: FY25 Water and Sewer Rates
Budget & Finance voted 3-0 to recommend at their 4/1/24 meeting. Finance Committee meeting on 4/8/24.
Council President Moore noted that the Finance Committee did not meet on 4/8/24 so this Order cannot be voted on.

Councilor George made a motion to postpone voting on Order O-FY24-027 until the next meeting, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- b) Order O-FY24-033: Town Council Acceptance of Proposed License, Permit and Fee Increases Effective July 1, 2024
Budget & Finance voted 3-0 to recommend at their 3/19/24 meeting. Finance Committee voted 6-0 to recommend at their 3/18/24 meeting. Community & Economic Development voted 3-0 to recommend at their 4/1/24 meeting.

Councilor George made a motion to approve Order O-FY24-033, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- c) Order O-FY24-035: Adoption of a 5-Year Capital Improvement Plan
Budget & Finance voted 3-0 to recommend at their 3/19/24. Finance Committee voted 6-0 to recommend at their 3/18/24.

Councilor George made a motion to approve Order O-FY24-035, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- d) Order O-FY24-039: Deed In Lieu of Foreclosure - 0 Laurel Street
Budget & Finance vote 3-0 to recommend at their 4/1/24 meeting. Finance Committee scheduled to meet on 4/8/24.

Council President Moore noted that the Finance Committee did not meet on 4/8/24 so this Order cannot be voted on.

Councilor Linde made a motion to postpone voting on Order O-FY24-039 until the next meeting, which was duly seconded by Councilor George.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- e) General Ordinance D-FY24-005: Amend Chapter 74, Article II, "Storage of New or Used Tires"
Rules & Procedures voted 3-0 to recommend with amendments at their 3/18/24 meeting.

Councilor George made a motion to refer Ordinance D-FY24-005 to advertising, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- f) General Ordinance D-FY24-006: Amend General Ordinances Relative to the Veterans Department
This measure was not referred to any committee. 14 days has elapsed; therefore this measure may be voted to be referred to advertising this evening.

Councilor George made a motion to refer Ordinance D-FY24-006 to advertising, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

OLD BUSINESS – None

NEW BUSINESS - None

- a) Order O-FY24-040: Transfer Order Water Capital
Councilor George made a motion to refer Order O-FY24-040 to Budget & Finance and Finance Committee, which was duly seconded by Councilor Chase.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- b) Petition P-2024-020: A Resolution in Recognition of Pride Month
Councilor George made a motion to retain Petition P-2024-020 at Town Council. This was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- c) Budget Order O-FY25-001: FY2025 Annual Town Budget
Councilor Linde made a motion to suspend the council rules and combine items c) to h) together.
This was duly seconded by Councilor George.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

Councilor George made a motion to refer items c) to h) to Budget & Finance and Finance Committee. This was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

- d) Budget Order O-FY25-002: FY2025 Water Enterprise Fund Budget
Referred to Budget & Finance and Finance Committee as noted above.
- e) Budget Order O-FY25-003: FY25 Sewer Enterprise Fund Budget
Referred to Budget & Finance and Finance Committee as noted above.
- f) Budget Order O-FY25-004: FY25 Transfer Station Enterprise Fund Budget
Referred to Budget & Finance and Finance Committee as noted above.
- g) Budget Order O-FY25-005: Authorization of Revolving Funds
Referred to Budget & Finance and Finance Committee as noted above.
- h) Order O-FY25-006: CPA Reserve Accounts - FY2025
Referred to Budget & Finance and Finance Committee as noted above.

CITIZEN COMMENTS

- Janet Hanson, Pleasant Street: thanked the council for continuing the FBC ordinance.
- James Candito, 37 Stetson Street: spoke in opposition of the FBC ordinance.
- Sam Baumgarten, 60 Short Street: hybrid meetings; microphones and the Nip not answered from last meeting.
- Adelene Ellenberg, Alrich Road: spoke about lots that are small are they being consolidated and Perkins having environment issue.

COUNCIL COMMENTS

- Councilor Gallagher: very interesting meeting, thanked residents for coming tonight to speak. Thanked those for their work on the FBC and thanked Councilor George on his service to the town.
- Councilor Linde: thanked Councilor George on his service to the town; thanked residents for coming out tonight and noted that 2 businesses closed in Central Square.

- Councilor Chase: commended Councilor George for his time on the council and noted that he refers FBC as downtown revitalization – more streamlined approval process.
- Councilor Murphy: thanked those that shared their stories and thanked Councilor George for his time on the council.
- Councilor Perry: great seeing all those in attendance tonight and speaking; thanked Councilor George for his service, will miss his experience and directness. Agrees with Councilor Chase and the FBC – we all have the best interested of the town in mind. Also noted that there is a Lions Club fundraising taking place on 4/13 at the Bridgewater Vets Club.
- Councilor Robinson: appreciate the support on the Pride flag and thanked Councilor George for his service, he will be missed.
- Councilor Moore: noted that he appreciated all who spoke tonight about the Pride flag and can't imagine the town not doing it every year and thanked Councilor George for his valued service to the town, he will be missed.
- Councilor George: spoke about his 7+ years on the Town Council.

EXECUTIVE SESSION – None

ADJOURNMENT

Councilor George made a motion to adjourn, which was duly seconded by Councilor Chase.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent; Linde – Yea. Motion passed 8-0.

Meeting adjourned at 9:44pm.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, April 23, 2024, to approve the aforementioned minutes, as submitted.